

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

<b>UNITED STATES OF AMERICA</b>	)	
	)	<b>Case No. 1:23-cr-26</b>
<b>v.</b>	)	
	)	<b>Judge Atchley</b>
	)	
<b>DEAUNTA RIZER</b>	)	<b>Magistrate Judge Lee</b>
	)	

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**ORDER**

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Magistrate Judge Susan K. Lee filed a report and recommendation recommending that the Court: (1) grant Defendant’s motion to withdraw his not guilty plea as to Count Three and Count Six of the six-count Indictment; (2) accept Defendant’s guilty plea as to Count Three and Count Six; (3) adjudicate the Defendant guilty of Count Three and Count Six; (4) defer a decision on whether to accept the plea agreement [Doc. 55] until sentencing; and (5) order that Defendant remain in custody until sentencing in this matter [Doc. 61]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee’s report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge’s report and recommendation [Doc. 61] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant’s motion to withdraw his not guilty plea as to Count Three and Count Six of the Indictment is **GRANTED**;
2. Defendant’s plea of guilty to Count Three and Count Six is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count Three and Count Six;
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

5. Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **April 25, 2024, at 10:00 a.m. ET** before the undersigned.

**SO ORDERED.**

/s/ Charles E. Atchley, Jr.  
**CHARLES E. ATCHLEY, JR.**  
**UNITED STATES DISTRICT JUDGE**